

IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

RUTH SMITH, Individually and as Widow for the )  
Use and Benefit of Herself and the Next Kin of )  
Richard Smith, Deceased, )  
 )  
Plaintiff, ) Civil No. 3:05-0444  
 ) Judge Aleta A. Trauger  
v. ) (Dist. Of MA No.  
 ) 1:05-cv-11515PBS)  
PFIZER, INC., *et al.*, )  
 )  
Defendants. )

**DECLARATION OF MARK S. CHEFFO IN SUPPORT OF DEFENDANTS'  
MOTION *IN LIMINE* TO EXCLUDE EVIDENCE OF ANY LOSS OF  
CONSORTIUM DAMAGES SUFFERED BY DECEDENT'S CHILDREN**

I, Mark S. Cheffo, declare and state as follows:

1. I am a partner with the law firm of Skadden, Arps, Slate, Meagher & Flom LLP, counsel for Defendants Pfizer Inc and Warner-Lambert Company LLC. I make this declaration based on my own personal knowledge and information.

2. Attached as Exhibit A is a true and correct copy of pertinent sections of the Code of 1858.

3. Attached as Exhibit B is a true and correct copy of Acts 1871, Ch. 78.

4. Attached as Exhibit C is a true and correct copy of Acts 1883, Ch. 186.

5. Attached as Exhibit D is a true and correct copy of Acts 1897, Ch. 86.

6. Attached as Exhibit E is a true and correct copy of Acts 1975, Ch. 284.

7. Attached as Exhibit F is a true and correct copy of Acts 1985, Ch. 140.

Signed under the penalties of perjury this 16<sup>th</sup> day of April, 2010.

  
Mark S. Cheffo

**CERTIFICATE OF SERVICE**

I hereby certify that on this the 16<sup>th</sup> day of April 2010, I electronically filed the foregoing document with the Clerk of the Court, United States District Court for the Middle District of Tennessee, using the CM/ECF system. True and correct copies of the foregoing documents are being served via the Court's CM/ECF system on the following:

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/s/ Gerald D. Neenan